

State of Vermont

Buildings and General Services
Office of Purchasing & Contracting
10 Baldwin St
Montpelier VT 05633-7501
USA

CONTRACT



Vendor ID 0000002755
W.W. Grainger Inc
20 Gregory Dr
S Burlington VT 05403-6046
USA

Contract ID 0000000000000000000024376		Page 1 of 6
Contract Dates 05/01/2013 to 04/30/2017		Origin CPS
Description: CPS- ENAMEL PAINT RUSTOLEUM		Contract Maximum \$999,999.00
Buyer Name Berini,Brian Jon	Buyer Phone 802/828-2217	Contract Status Approved

Phone #:

Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
1		INTERNATIONAL ORANGE, 245408, GRAINGER# 2ZLL3	GAL	37.43000	0.00	0.00
2		BLACK HIGH GLOSS, 245403, GRAINGER# 2ZLK4	GAL	37.35000	0.00	0.00
3		ALUMINUM, 245309, GRAINGER# 2ZLG1	GAL	37.35000	0.00	0.00
4		FLAT BLACK, 245387, GRAINGER# 2ZLH8	GAL	37.60000	0.00	0.00
5		YELLOW, 245488, GRAINGER# 2ZLU4	GAL	37.38000	0.00	0.00
6		WHITE HIGH GLOSS, 245406, GRAINGER# 2ZLK8	GAL	37.44000	0.00	0.00
7		NEW CATERPILLAR YELLOW, 245489, GRAINGER# 2ZLU6	GAL	37.39000	0.00	0.00
8		SPRAY ENAMEL SAFETY ORANGE, 15 OZ CAN, GRAINGER# 5H899	EA	4.21000	0.00	0.00
9		SPRAY ENAMEL GLOSS BLACK, V2179838, 15 OZ CAN, GRAINGER# 5H903	EA	4.21000	0.00	0.00
10		SPRAY ENAMEL GLOSS WHITE, 15 OZ CAN, V2192838, GRAINGER# 5U708	EA	4.21000	0.00	0.00
11		SPRAY GRIP, 243546, GRAINGER# 2ERK5	EA	2.00000	0.00	0.00
12		SPRAY GRIP/COMFORT, 241526, GRAINGER# 2ERK6	EA	4.25000	0.00	0.00
13		PAINT THINNER, 333402, GRAINGER# 3JR74	GAL	16.44000	0.00	0.00
14		PRIMER, RED, V769402, GRAINGER# 1OZ889	GAL	34.97000	0.00	0.00
15		FLAT WHITE, 245533, GRAINGER# 2ZLJ1	GAL	37.68000	0.00	0.00
16		HEAVY DUTY ALUMINUM, 245402, GRAINGER# 2ZLK2	GAL	37.39000	0.00	0.00
17		SEMI-GLOSS PLEASANT GREEN, 245482, GRAINGER# 2ZLT1	GAL	37.48000	0.00	0.00
18		SEMI-GLOSS LIGHT NUTREAL GRAY, 245481, GRAINGER# 2ZLR8	GAL	37.51000	0.00	0.00
19		SEMI-GLOSS WHITE, 245483, GRAINGER# 2ZLT3	GAL	37.58000	0.00	0.00
20		ALMOND, 245308, GRAINGER# 2ZLF8	GAL	37.45000	0.00	0.00

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21		CHESTNUT BROWN, 245380, GRAINGER# 2ZLG3	GAL	37.39000	0.00	0.00
22		CLEAR, 245381, GRAINGER# 2ZLG5	GAL	37.29000	0.00	0.00
23		DUNES TAN, 245382, GRAINGER# 2ZLG7	GAL	37.39000	0.00	0.00
24		FIRE HYDRANT RED, 245385, GRAINGER# 2ZLH4	GAL	37.36000	0.00	0.00
25		FOREST GREEN, 245388, GRAINGER# 2ZLJ3	GAL	37.38000	0.00	0.00
26		MACHINE TOOL GRAY, 245409, GRAINGER# 2ZLL5	GAL	37.39000	0.00	0.00
27		MARLIN BLUE, 245440, GRAINGER# 2ZLL7	GAL	37.44000	0.00	0.00
28		NATIONAL BLUE, 245441, GRAINGER# 2ZLL9	GAL	37.36000	0.00	0.00
29		NAVY GRAY, 245443, 2ZLN4	GAL	37.36000	0.00	0.00
30		SAFETY BLUE, 245474, GRAINGER# 2ZLP3	GAL	37.36000	0.00	0.00
31		SAFETY GREEN, 245476, GRAINGER# 2ZLP7	GAL	37.39000	0.00	0.00
32		SAFETY ORANGE, 245477, GRAINGER# 2ZLP9	GAL	37.36000	0.00	0.00
33		SAFETY RED, 245478, GRAINGER# 2ZLR2	GAL	37.36000	0.00	0.00
34		SAFETY YELLOW, 245479, GRAINGER# 2ZLR4	GAL	37.39000	0.00	0.00
35		SILVER GRAY, 245484, GRAINGER# 2ZLT5	GAL	37.38000	0.00	0.00
36		TILE RED, 245486, GRAINGER# 2ZLT9	GAL	37.38000	0.00	0.00
37		VISTA GREEN, 245487, GRAINGER# 2ZLU2	GAL	37.39000	0.00	0.00
38		GRAY PRIMER, V7086402, GRAINGER# 10Z888	GAL	35.99000	0.00	0.00
39		WHITE PRIMER, 258887, GRAINGER# 10Z890	GAL	36.01000	0.00	0.00
40		SPRAY ENAMEL, ALMOND, 15 OZ CAN, V2170838, GRAINGER# 4TH65	EA	4.21000	0.00	0.00
41		SPRAY ENAMEL, TAN, 15 OZ CAN, V2171838, GRAINGER# 5H902	EA	4.21000	0.00	0.00
42		SPRAY ENAMEL, CHESTNUT BROWN, 15 OZ CAN, V2175838, GRAINGER# 4TH67	EA	4.21000	0.00	0.00
43		SPRAY ENAMEL, ANODIZED BRONZE, 15 OZ CAN. 208565. GRAINGER# 4CY49	EA	5.01000	0.00	0.00

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62		SPRAY ENAMEL, CRYSTAL CLEAR, 14 OZ CAN, V2102838, GRAINGER# 4TH61	EA	4.21000	0.00	0.00
63		SPRAY ENAMEL, SAFETY BLUE, 15 OZ CAN, V2124838, GRAINGER# 5H896	EA	4.21000	0.00	0.00
64		SPRAY ENAMEL, SAFETY GREEN, 15 OZ CAN, V2133838, GRAINGER# 5H897	EA	4.21000	0.00	0.00
65		SPRAY ENAMEL, SAFETY RED, 15 OZ CAN, V2163838, GRAINGER# 5H900	EA	4.21000	0.00	0.00
66		SPRAY ENAMEL, SAFETY YELLOW, 15 OZ CAN, V2143838, GRAINGER# 5H898	EA	4.21000	0.00	0.00
67		SPRAY ENAMEL, FLUORESCENT GREEN, 14 OZ CAN, 2233838, GRAINGER# 5W908	EA	5.49000	0.00	0.00
68		SPRAY ENAMEL, FLUORESCENT ORANGE, 14 OZ CAN, 2255838, GRAINGER# 5W177	EA	5.49000	0.00	0.00
69		SPRAY ENAMEL, FLUORESCENT RED, 14 OZ CAN, 2264838, GRAINGER# 5W178	EA	5.49000	0.00	0.00
70		SPRAY ENAMEL, FLUORESCENT YELLOW, 14 OZ CAN, 2242, GRAINGER# 5W907	EA	5.49000	0.00	0.00

CONTRACT TERMS AND ADDITIONAL INFORMATION

THIS CONTRACT IS ISSUED IN ACCORDANCE WITH THE STATE OF VERMONT RFP FOR INDUSTRIAL ALKYD ENAMEL PAINT FOR EQUIPMENT MAINTENANCE ISSUED APRIL 8, 2013 AND VENDOR'S RESPONSE DATED APRIL 22, 2013.

TERMS: NET 30 DAYS

QUANTITY: THE ANNUAL VALUE AND QUANTITIES ARE ESTIMATED ONLY BASED ON PRIOR USAGE; ACTUAL PURCHASES MAY BE HIGHER OR LOWER DEPENDING ON THE STATE'S NEEDS. THE CONTRACT MAXIMUM IS NOT REFLECTIVE OF ACTUAL USAGE.

DELIVERY: RESPONSIBILITY FOR PRODUCT DELIVERY REMAINS WITH THE CONTRACTOR UNTIL THE PRODUCT IS PROPERLY DELIVERED AND SIGNED FOR IN ACCORDANCE WITH THE OFFICE OF PURCHASING & CONTRACTING TERMS AND CONDITIONS. SHIPMENTS SHALL BE SECURELY AND PROPERLY PACKED, ACCORDING TO ACCEPTED COMMERCIAL PRACTICES, WITHOUT EXTRA CHARGE FOR PACKING CASES OR OTHER CONTAINERS. SUCH CONTAINERS WILL REMAIN THE PROPERTY OF THE STATE UNLESS OTHERWISE STATED. DELIVERED GOODS THAT DO NOT CONFORM TO THE SPECIFICATIONS OR ARE NOT IN GOOD CONDITION UPON RECEIPT SHALL BE REPLACED PROMPTLY BY THE CONTRACTOR.

PRICING: ALL EQUIPMENT PRICING IS TO INCLUDE F.O.B. DELIVERY TO THE ORDERING FACILITY. NO REQUEST FOR EXTRA DELIVERY COST WILL BE HONORED. ALL EQUIPMENT SHALL BE DELIVERED ASSEMBLED, SERVICED, OILED, AND READY FOR IMMEDIATE USE, UNLESS OTHERWISE REQUESTED BY THE PURCHASING AGENCY.

QUALITY: ALL PRODUCTS PROVIDED UNDER THESE AGREEMENTS WILL BE NEW AND UNUSED, UNLESS OTHERWISE STATED. FACTORY SECONDS OR REMANUFACTURED PRODUCTS WILL NOT BE ACCEPTED UNLESS SPECIFICALLY REQUESTED BY THE PURCHASING AGENCY. ALL PRODUCTS PROVIDED BY THE CONTRACTOR MUST MEET ALL FEDERAL, STATE, AND LOCAL STANDARDS FOR QUALITY AND SAFETY REQUIREMENTS. PRODUCTS NOT MEETING THESE STANDARDS WILL BE DEEMED UNACCEPTABLE AND RETURNED TO THE CONTRACTOR FOR CREDIT AT NO CHARGE TO THE STATE.

METHOD OF ORDERING: PURCHASE ORDERS MUST BE USED TO ORDER ITEMS AVAILABLE UNDER THIS CONTRACT. IF VERBAL ORDERS ARE GIVEN A CONFIRMING PURCHASE ORDER MUST BE ISSUED.

INVOICING: ALL INVOICES ARE TO BE RENDERED BY THE CONTRACTOR ON THE VENDOR'S STANDARD BILLHEAD AND FORWARDED DIRECTLY TO THE INSTITUTION OR AGENCY ORDERING MATERIALS OR SERVICES AND SHALL SPECIFY THE ADDRESS TO WHICH

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PAYMENTS WILL BE SENT.						

CANCELLATION: THE STATE SPECIFICALLY RESERVES THE RIGHT TO CANCEL THE CONTRACT, OR ANY PORTION THEREOF, IF, IN THE OPINION OF ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES, THE SERVICES OR MATERIALS SUPPLIED BY THE CONTRACTOR ARE NOT SATISFACTORY OR ARE NOT CONSISTENT WITH THE TERMS OF THE CONTRACT

DEFAULT: IN CASE OF DEFAULT OF THE CONTRACTOR, THE STATE MAY PROCURE THE MATERIALS OR SUPPLIES FROM OTHER SOURCES AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COST OCCASIONED THEREBY, PROVIDED, THAT IF PUBLIC NECESSITY REQUIRES THE USE OF MATERIALS OR SUPPLIES NOT CONFORMING TO THE SPECIFICATIONS THEY MAY BE ACCEPTED AND PAYMENT THEREFORE SHALL BE MADE AT A PROPER REDUCTION IN PRICE.

REPORTING REQUIREMENTS: CONTRACTORS WILL BE REQUIRED TO SUBMIT QUARTERLY PRODUCT SALES REPORT TO THE PURCHASING AGENT PURSUANT TO THE SCHEDULE BELOW. EACH REPORT MUST CONTAIN THE FOLLOWING INFORMATION: CONTRACT NUMBER; USING DEPARTMENT'S ADDRESS, CONTACT NAME, AND TELEPHONE NUMBER; PRODUCT ORDERED; QUANTITY ORDERED; QUANTITY SHIPPED; AND PRICE CHARGED, WITH TOTALS FOR EACH PRODUCT FOR EACH REPORTING PERIOD. WE RESERVE THE RIGHT TO REQUEST ADDITIONAL INFORMATION OR TO MODIFY THE REPORTING PERIODS.

REPORTING PERIODS: QUARTERLY REPORTS MUST BE SUBMITTED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

REPORTING PERIOD: JANUARY 1 TO MARCH 31 - REPORT DUE APRIL 15
REPORTING PERIOD: APRIL 1, TO JUNE 30 - REPORT DUE JULY 15
REPORTING PERIOD: JULY 1 TO SEPTEMBER 30 - REPORT DUE OCTOBER 15
REPORTING PERIOD: OCTOBER 1 TO DECEMBER 31 - REPORT DUE JANUARY 15

CONTRACT TERMS: THIS CONTRACT WILL BE SUBJECT TO REVIEW THROUGHOUT ITS TERM. THE STATE WILL CONSIDER CANCELLATION UPON DISCOVERY THAT A VENDOR IS IN VIOLATION OF ANY PORTION OF THE AGREEMENT, INCLUDING AN INABILITY BY THE VENDOR TO PROVIDE THE PRODUCTS, SUPPORT, AND/OR SERVICE OFFERED IN THEIR RESPONSE.

VERMONT STATE COLLEGES: THIS CONTRACT IS ALSO AVAILABLE FOR USE BY THE UNIVERSITY OF VERMONT AND THE VERMONT STATE COLLEGES INC., A SEPARATE CORPORATION, HAVING UNDER ITS JURISDICTION CASTLETON STATE COLLEGE, JOHNSON STATE COLLEGE, LYNDON STATE COLLEGE, COMMUNITY COLLEGE OF VERMONT, AND THE VERMONT TECHNICAL COLLEGE.

TOWNS AND SCHOOLS OF THE STATE OF VERMONT: AT THE BIDDER'S ELECTION POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES OF THE STATE MAY PARTICIPATE IN STATE CONTRACTS AT THE SAME PRICES, TERMS AND CONDITIONS. ITEMS FURNISHED TO POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES WILL BE BILLED DIRECTLY TO AND PAID FOR BY THE POLITICAL SUBDIVISIONS OR INDEPENDENT COLLEGES AND NEITHER THE STATE NOR ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES PERSONALLY OR OFFICIALLY ASSUMES ANY RESPONSIBILITY FOR THESE PAYMENTS.

AGENCIES & DEPARTMENTS ARE REQUESTED TO ADVISE THE PURCHASING AGENT AT ONCE OF THE FAILURE ON THE PART OF THE CONTRACTOR TO FULFILL ANY OF THE TERMS OR CONDITIONS OF THIS CONTRACT.

PLEASE REFER TO THE ASSIGNED CONTRACT NUMBER/PURCHASE ORDER # ON ALL CORRESPONDENCE, DELIVERY DOCUMENTS AND INVOICES.

CONTRACT PERIOD: THIS CONTRACT IS WRITTEN FOR AN INITIAL ONE (1) YEAR TERM, WITH OPTIONS TO EXTEND FOR TWO ADDITIONAL ONE-YEAR PERIODS UPON MUTUAL AGREEMENT OF BOTH PARTIES.

THE VISA PURCHASING CARD MAY BE USED AS A FORM OF PAYMENT UNDER THIS CONTRACT.

SALES POC INFORMATION:
MICHAEL HENNESSEY
802-881-3246
michael.hennessey@grainger.com

AMENDMENT#1 (MAY 2014). THIS CHANGE EXERCISES THE FIRST OF THE TWO ONE-YEAR OPTIONS TO RENEW, AND EXTENDS THE CONTRACT FOR ONE ADDITIONAL YEAR TO 04/30/2015, AT THE SAME PRICING, TERMS, AND CONDITIONS.

AMENDMENT#2 (APRIL 2015). THIS CHANGE EXERCISES THE SECOND OPTION TO RENEW, AND EXTENDS THE CONTRACT FOR ONE ADDITIONAL YEAR TO 04/30/2016, AT THE SAME PRICING, TERMS, AND CONDITIONS.

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STATE OF VERMONT ATTACHMENT C: STANDARD STATE CONTRACT PROVISIONS DATED MARCH 1, 2015 AND ATTACHMENT D: COMMODITY PURCHASES TERMS AND CONDITIONS DATED NOVEMBER 10, 2010 ARE ATTACHED AND INCORPORATED AS PART OF THIS ORDER.

CONTRACTOR CERTIFIES UNDER THE PAINS AND PENALTIES OF PERJURY THAT AS OF THE DATE THIS AMENDMENT IS SIGNED, CONTRACT IS IN GOOD STANDING TO OR IN FULL COMPLIANCE WITH A PLAN TO PAY ANY AND ALL TAXES DUE THE STATE OF VERMONT.

AMENDMENT#3. (MARCH 2016). THE STATE IS HEREBY ELECTING TO EXTEND THE PERIOD OF PERFORMANCE UNDER THIS AGREEMENT FOR A ONE YEAR TERM TO APRIL 30, 2017, AT THE SAME PRICING, TERMS, AND CONDITIONS.

STATE OF VERMONT ATTACHMENT C: STANDARD STATE CONTRACT PROVISIONS DATED SEPTEMBER 1, 2015 AND ATTACHMENT D: COMMODITY PURCHASES TERMS AND CONDITIONS DATED NOVEMBER 10, 2010 ARE ATTACHED AND INCORPORATED AS PART OF THIS ORDER.

CONTRACTOR CERTIFIES UNDER THE PAINS AND PENALTIES OF PERJURY THAT AS OF THE DATE THIS AMENDMENT IS SIGNED, CONTRACT IS IN GOOD STANDING TO OR IN FULL COMPLIANCE WITH A PLAN TO PAY ANY AND ALL TAXES DUE THE STATE OF VERMONT.

IF YOU HAVE ANY QUESTIONS REGARDING THIS DOCUMENT PLEASE CONTACT:

BRIAN BERINI
SENIOR PURCHASING AGENT
PHONE: 802-828-2217
FAX: 802-828-2222
brian.berini@state.vt.us

WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT

By the STATE of VERMONT

By the CONTRACTOR

Date: _____

Date: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Email: _____

Email: _____